DOCKET NO.: MSFT-2955/307064.01
Application No.: 10/821,687
Office Action Dated: February 7, 2007

PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116

REMARKS

Claims 38, 40-49, 54, 55, 57, and 58 are pending. Claims 38, 49, 55, and 58 are the independent claims. Claim 56 is canceled herewith. In an Official Action 2/07/2007, all claims were rejected under 35 U.S.C. §103. Having amended the independent claims to overcome the rejections after an interview with the Examiner, Applicants respectfully request allowance of the application.

Interview Summary

Applicants would like to thank the Examiner for the courtesy of a telephonic interview on March 28, 2007. At the interview, the undersigned and Examiner Colan discussed the various outstanding rejections under 35 U.S.C. § 103.

Applicants' representative explained differences between Applicants claimed invention and the references of record. In particular, referring to independent claims 38 and 58, Applicants' representative stated that claims 38 and 58 require a computer readable medium bearing a representation of an object in which all data members that are associated with such object, and are of a particular data type (a "primitive" type), must be in a binary fragment as set forth in the claims. Moreover, such data members are required to be in a storage engine record format.

Applicants' representative explained how U.S. Pat. 5,634,123 (Bennion) does not disclose placing all data of a particular type into a binary fragment, or for that matter, into the "container records" or "data containing records" disclosed in Bennion. Instead, Bennion may place any data in Bennion's various data containing records. For example, primitive data members appear to be distributed throughout the various data containing records disclosed in Bennion.

The Examiner acknowledged the described differences and requested that the claims further clarify the term "primitive data members" to distinguish over Bennion.

Referring to independent claims 49 and 55, Applicants' representative explained that a these claims require "a collection start fragment" with a type field identifying itself as such. In contrast, Bennion discloses only container records that may or may not contain collection data.

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The Examiner suggested that a clarification of the collection data type would serve to distinguish over Bennion.

Amendments to Claims 38 and 58

Independent claims 38 and 58 are amended by rearranging the limitations somewhat for better readability, by removing certain limitations not necessary to distinguish over the references of record, and to include a definition of primitive data members as requested in the interview. The following limitation serves to define primitive data members:

> *wherein said primitive data members comprise only members of a primitive data type, said primitive data type comprising at least integers and excluding at least collections;*

It will be appreciated that this limitation defines primitive data members as of a primitive data type that comprises integers and excludes collections. While primitive data types in many programming languages may also comprise additional data types and exclude additional data types, most will include at least integers and exclude at least collections.

Applicants submit that these amendments overcome the outstanding rejections of claims 38 and 58 over Bennion. Claims 40-48 depend from claim 38. Because the various references used in rejecting claims 40-40 fail to cure the afore stated deficiencies of Bennion, Applicants consider them to be allowable for the same reasons.

Amendments to Claims 49 and 55

Independent claims 49 and 55 are amended by explicitly requiring features of a collection element data type. The following limitation is added:

> *a plurality of collection element fragments associated with said collection start fragment, each of said collection element fragments comprising a collection element header and a collection element payload, wherein each collection element payload comprises only a data member of a collection element data type, said collection element data type comprising data of a same type as every collection element associated with said collection start fragment;*

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This limitation expressly requires collection element fragments with collection element payloads of the collection element data type. The collection element data type is defined as *"comprising data of a same type as every collection element associated with said collection start fragment."* Thus, all collections associated with a particular collection start fragment have data of a same type. This defines over Bennion because, while Bennion's data containing records allow storing multiple data members, it is not required that all such members be of a same type.

Furthermore, Bennion's container records do not contain data, but rather contain only data-containing records. Such data containing records need not store data of a same type, but rather could store data of any type.

Because the various references combined with Bennion in rejecting claims 49 and 55, namely U.S. Pat. 6,904,454 (Stickler), U.S. Pub. 2004/0220946 (Krishnaprasad), and U.S. Pat. 6,012,067 (Sarkar), fail to cure the afore stated deficiencies of Bennion, Applicants consider claims 49 and 55 in condition for allowance. Claims 54 and 57 depend from claims 49 and 55, respectively, and are considered allowable for the same reasons.

In conclusion, Applicants respectfully request allowance of the pending claims in view of the amendments submitted herewith.

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